

REMARKS

Reconsideration is requested.

Claims 10, 12-13, 15-22 are pending. Claims 1-9, 11 and 14 have been canceled, without prejudice.

The Examiner's comments relating to the requirement for a Sequence Listing and/or amendments to the specification to include sequence identifiers are noted. The amendments to the specification to include the Sequence Listing and sequence identifiers filed April 21, 2005 are believed to be contained in the PTO IFW. Moreover, there is a Notice from STIC in the IFW dated May 19, 2005 indicating that the Sequence Listing filed April 21, 2005 has been entered. The undersigned is uncertain as to what further may be required and the Examiner is requested to advise the undersigned in the event anything further is required with regard to the Sequence Listing. A copy of the Notice to Comply attached to the Office Action of May 18, 2006 is attached.

The Section 112, second paragraph, rejection of claims 10-17 is obviated by the above amendments. Reconsideration and withdrawal of the rejection are requested.

The Section 103 rejection of claims 10-17 over WO 01/44401 in view of Deming et al (U.S. Patent No. 6,506,557) is traversed. Reconsideration and withdrawal of the rejection are requested in view of the following distinguishing comments.

The present invention is based upon the finding that an unexpectedly good adhesive effect is obtained when a bioadhesive polyphenolic protein comprising 6-30 % of the amino acid DOPA is reacted with high concentrations of periodate ions (about 1.9 mmol/g adhesive which is equivalent to 40-50 % by weight of the adhesive

composition). This adhesive effect is demonstrated in the experimental part of the present application, and especially in tables 1-3.

Both WO 01/44401 and Deming are understood to mention the use of periodate ions as oxidation agent to crosslink a bioadhesive polyphenolic protein. The cited art however does not include experimental results with periodate ions as oxidation agents. The examples of WO 01/44401 generally use hydrogen peroxide as oxidation agent although it is stated that the periodate content in the finished composition should amount to about 2 mM (WO 01/44401, p7, line 7). This concentration corresponds to about 0.004 mol/g finished composition.

Deming discloses sodium periodate as an alternative to hydrogen peroxide and tyrosinase but the document also clearly states that "H₂O₂ is generally the best oxidizing agent" (See Deming, col. 8, lines 61-62). Furthermore, Deming fails to provide a suitable concentration level of periodate in the finished composition.

Accordingly, neither WO 01/44401 nor Deming disclose, individually or in combination, anything about methods for attaching two surfaces to each other wherein high adhesive strengths are obtained by including periodate ions in concentrations of at least 1.80 mmol per g finished composition which is equal to about 0.1 M in the finished composition. There is nothing in these documents suggesting that advantageously high binding strengths could be obtained when increasing the periodate content up to the levels specified by the present claims. The claims are submitted therefore to be patentable over the cited art and withdrawal of the Section 103 rejection of claims 10-17 is requested.

QVIST
Appl. No. 10/509,401
August 18, 2006

The Examiner is requested to hold in abeyance to provisional obviousness-type double patenting rejection of claims 10-11 and 14-17 over claims 1 and 4-6 of the copending application Serial No. 10/498,793, until allowable subject matter is identified.

The claims are submitted to be in condition or allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned in the event anything further is required in this regard.

Respectfully submitted,

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